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EXAMINER	
TRAORE, FATOUMATA	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/731,020	MOURAD, MAGDA	
	Examiner	Art Unit	
	FATOUMATA TRAORE	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 April 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21 and 23-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-21, 23-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response of the appeal brief filing of April 7, 2008. Claims 1-21, 23-38 are pending and have been considered below.

2. In view of the appeal brief filed on 04/07/2008, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

Claim Objections

3. Claim 1 is objected to because of the following informalities: the examiner notes the use of acronyms (e.g. DRM etc.) throughout the specification without first including a description in plain text, as required. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-3, 5-11 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniel et al (US 2003/0163784) in view of Doty, Jr (US 2002/0152904) in further view of Manning et al (US 2002/0161719).

Claim 1: Daniel et al discloses a method of providing learning objects, comprising:

i. Accessing an authoring application for creating a shareable content object (SCO), the accessing being through at least one of a web based remote access and a download of the authoring application (*when using the authoring tool according to embodiments of the present invention, a course instructor or publication author would connect to the central network using a client device, such as via the Internet, and log in to the system to initiate the method of FIG. 4. FIG. 5 depicts a client computer display as seen by a CAI course author or publisher via a web browser of an exemplary log in web page 500 for electronically accessing the object authoring and administration tools over the Internet according to preferred embodiments of the present invention)(paragraph [0090], Fig. 4 and Fig . 5*) ;

ii. Composing a shareable content object (SCO) representing one or more assets using the authoring application (*the author begins the process of creating a modular CAI course or e-publication according to the present invention by first creating a topical outline, step 400 of FIG. 4 (this outline may equivalently be called a publication topical outline in the specific case of e-publications and a course topical outline in the specific case of CAI courses) (paragraph [0094]; Fig. 4 and Fig. 6*);

But does not explicitly disclose a step of assigning a digital rights to the SCO to secure the one or more assets; nor a step of individually controlling access to the SCO and the one or more assets by utilizing the assigned digital rights to the SCO or the one or more assets, wherein the download of the authoring application includes checking a client browser's version and downloading a DRM extension appropriate for the browser's version. However, Doty discloses a network based educational system, which further discloses:

iii. Assigning a digital rights to the SCO to secure the one or more assets (*the administrative portal 22 can provide a mechanism for administrative functions including the generation of reports, hierarchical permissions, file sharing and account management, authentication, digital rights management (DRM)) (paragraph [0169]*); and

iv. Individually controlling access to the SCO and the one or more assets by utilizing the assigned digital rights to the SCO or the one or more assets *(DRM vests the digital rights of the purchased or selected*

course/program to be accessible to the user after appropriate validations and checks or payments) (paragraph [0171]),

While neither of them explicitly discloses wherein the download of the authoring application includes checking a client browser's version and downloading a DRM extension appropriate for the browser's version. However, Manning et al discloses a method for online enrolment, which further discloses wherein the download of the authoring application includes checking a client browser's version and downloading a DRM extension appropriate for the browser's version *(the management server 18 downloads a specific version of software by determining the end user's browser type. The client-side software is downloaded and installed with minimal involvement from the end-user) (paragraph [0018])*. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al and Doty such as to check the client browser's version and download DRM extension. One would have been motivated to do so in order to provide an improved online enrolment method and system as taught by Manning et al (*paragraph [0010])*.

Claim 2: Daniel et al, Doty and Manning et al disclose a method of providing learning objects as in claim1 above, and Daniel et al further discloses wherein the accessing an authoring application step includes:

i. Accessing an on-line portal server to obtain registration information; and registering as an author of learning objects (paragraphs [0076], [0081], {0092]; Fig. 5).

Claim 3:Daniel et al, Doty and Manning et al disclose a method of providing learning objects as in claim 1 above, and Daniel et al further discloses wherein the registering step includes receiving a registration confirmation that includes at least one of a user-id, a password, a login uniform resource locator (URL) and a universal resource identifier (URI) (*paragraphs [0092]-[0093]).*

Claim 5: Daniel et al, Doty and Manning et al disclose a method of providing learning objects as in claim 1 above, and Doty further discloses wherein, the assigning step includes:

i. Logging on to a digital packager (*paragraph [0154]);*

ii. Uploading a package containing the SCO and a metadata file (*paragraph [0158], [0167])*; and

iii. Triggering a digital rights management (DRM) packager to assign digital rights to at least one of the SCO and the one or more assets and the package (*paragraphs [0171]).*

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al and Manning et al such as to assign digital right to at least one SCO. One would have been motivated to do so in order to enhance the total educational

experience for those taking advantage of the present system as taught by Doty (*paragraph [0003]).*

Claim 6: Daniel et al, Doty and Manning et al disclose a method of providing learning objects as in claim 5 above, and Doty further discloses wherein the triggering step includes assigning a price level to one of the SCO and the one or more assets controlled by the assigned digital rights (*paragraphs [0164], [0165]).* Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al and Manning et al such as to associate a price tag . One would have been motivated to do so in order to enhance the total educational experience for those taking advantage of the present system as taught by Doty (*paragraph [0003]).*

Claim 7: Daniel et al, Doty and Manning et al disclose a method of providing learning objects as in claim 5 above, and Doty further discloses that the method further comprising the steps of:

i. Parsing the package to extract structure and titles (*paragraph [0164]*); and

ii. Assigning a package ID with a package name to the SCO (*paragraph [00154]*).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al and Manning et al such as to extract structure and title and to assign Id to SCO. One would have been motivated to do so in order to enhance the total

educational experience for those taking advantage of the present system as taught by Doty (*paragraph [0003]).*

Claim 8: Daniel et al, Doty and Manning et al disclose a method of providing learning objects as in claim 5 above, and Doty further discloses that the method further comprising:

i. Generating promotional material and thumbnail for use in an electronic store (eStore) to provide searching and discovery capability *(paragraph [0137]);* and

ii. Storing the promotional material and the SCO in an on-line catalog (*paragraphs [0169], [0200]*).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al and Manning et al such as to generate and store promotional material. One would have been motivated to do so in order to enhance the total educational experience for those taking advantage of the present system as taught by Doty (*paragraph [0003]).*

Claim 9: Daniel et al, Doty and Manning et al disclose a method of providing learning objects as in claim1 above, and Doty further discloses that the method further comprising assigning digital rights to the one or more assets and encrypting(*encode*) at least one of the SCO and one or more assets *(paragraphs [0183], [0188]).* Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined

teaching of Daniel et al and Manning et al such as to assign digital right to at least one SCO. One would have been motivated to do so in order to enhance the total educational experience for those taking advantage of the present system as taught by Doty (*paragraph [0003]).*

Claim 10: Daniel et al, Doty and Manning et al disclose a method of providing learning objects as in claim1 above, and Doty further discloses wherein, the assigning digital rights step assigns rights to the one or more assets to independently access the one or more assets under control of the assigned digital rights(*paragraph [0129], [0167*]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al and Manning et al such as to assign digital right to at least one SCO. One would have been motivated to do so in order to enhance the total educational experience for those taking advantage of the present system as taught by Doty (*paragraph [0003]).*

Claim 11: Daniel et al, Doty and Manning et al disclose a method of providing learning objects as in claim 5 above, and Daniel et al further discloses that the method further comprising the step of placing the SCO, the metadata file and a promotional file into a digital container(*paragraphs [0109], [0110]).*

Claim 15: Daniel et al, Doty and Manning et al disclose a method of providing learning objects as in claim1 above, and Daniel et al further discloses wherein in the composing step the one or more assets include at least one of a video asset, a text asset, a music asset, and a learning asset (*paragraphs [0082], [0098]).*

Claim 16: Daniel et al, Doty and Manning et al disclose a method of providing learning objects as in claim 1 above, and Daniel et al further discloses that the method further comprising packaging a content aggregation file separately from the SCO and any asset files, wherein the content aggregation file includes for the SCO: an associated metadata file, a manifest file, a content packaging information, and encrypted rights (*paragraphs [0055], [0071], [0104], [0108]*).

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Daniel et al (US 2003/0163784) in view of Doty, Jr (US 2002/0152904) in further view of Manning et al (US 2002/0161719) and Stefik (US2005/0086172).

Claim 4: Daniel et al, Doty and Manning et al disclose a method of providing learning objects as in claim1 above, and Doty further discloses wherein the download of the authoring application further includes:

> Accessing an application to create SCO rights metadata and promotional material (paragraphs [0137]. [0151], [0198]);

While neither of them explicitly discloses a step of generating a public key pair for the client for encryption purposes and sending a private key to the client, wherein the accessing the application to create SCO rights metadata occurs through one of a web based remote access and a download the application. However, Stefik discloses a method for providing education content, which further discloses a step of generating a public key pair for the client for encryption purposes and sending a private key to the client, wherein the accessing the application to

create SCO rights metadata occurs through one of a web based remote access and a download the application (paragraphs [0193]-[0195]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al, Doty and Manning et al such as to use a public key encryption. One would have been motivated to do so in order to provide an improved method for controlling the use of digital content in accordance with usage rights information associated with the digital content as taught by Stefik (*paragraph [0009]).*

7. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniel et al (US 2003/0163784) in view of Doty, Jr (US 2002/0152904) in further view of Manning et al (US 2002/0161719)and Moses et al(US 6,314,517).

Claim 12: Daniel et al, Doty and Manning et al disclose a method of providing learning objects as in claim1 above, while neither of them explicitly discloses wherein the placing step includes at least one of assigning digital rights to the SCO and encrypting the one or more assets using randomly generated symmetric keys of the associated SCO. However, Moses et al discloses a method for notarizing digital signature, which further discloses wherein the placing step includes at least one of assigning digital rights to the SCO and encrypting the one or more assets using randomly generated symmetric keys of the associated SCO.(column 1, lines 20-37). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made

to modify the combined teaching of Daniel et al, Doty and Manning et al such as to use a random symmetric key. One would have been motivated to do so in order to provide data integrity.

Claim 13: Daniel et al, Doty , Manning et al and Moses et al disclose a method of providing learning objects as in claim12 above, and Doty further disclose wherein the placing wherein the digital rights include at least one of price, user identity, and length of use(paragraphs [0164]-[0165]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al , Manning et al and Moses et al such as to assign a price to at least one SCO. One would have been motivated to do so in order to enhance the total educational experience for those taking advantage of the present system as taught by Doty (*paragraph [0003]).*

Claim 14: Daniel et al, Doty , Manning et al and Moses et al disclose a method of providing learning objects as in claim12 above, and Moses et al further disclose further including placing the randomly generated symmetric keys in the metadata file, and encrypting the metadata file with a public key(*column 1, lines 40-65).* Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al, Doty and Manning et al such as to use a random symmetric key. One would have been motivated to do so in order to provide data integrity.

8. Claims 17-21, 23 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniel et al (US 2003/0163784) in view of Doty, Jr (US 2002/0152904) in further view of Bjornestad et al (US 2003/0084345).

Claim 17: Daniel et al discloses a method for creating learning objects, comprising:

i. Creating a package containing one or more shareable content objects (Si.COs) *(paragraph [0094]; Fig. 4 and Fig. 6)*;

ii. Updating an on-line electronic store (e-Store) with the one or more SCOs (*paragraph [0114]);*

iii. Logging onto a portal server to perform any of the steps, wherein the portal server provides a common interface personalized to a user's profile and role) (*paragraph [0090], Fig. 4 and Fig. 5*).

But does not explicitly discloses making the one or more SCOs available for searching and downloading at a client, wherein access to the one or more SCOs is controlled by the DRM, and the one or more SCOs include one or more assets individually controllable; nor Assigning digital rights management (DRM) to the one or more SCOs; However, Doty discloses a network based educational system, which further discloses:

i. Assigning digital rights management (DRM) to the one or more SCOs *(paragraph [0169])*;

ii. Wherein access to the one or more SCOs is controlled by the DRM, and the one or more SCOs include one or more assets individually controllable (*paragraph [0171]*)

While neither of them explicitly discloses making the one or more SCOs available for searching and downloading at a client. However, Bjornestad et al discloses a managed access to information over data network, which further discloses a step of making the one or more SCOs available for searching and downloading at a client (*paragraph [0055]*).Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al and Doty such as to make the content searchable. One would have been motivated to do so in order to provide a user with access to an information site hosting information with controlled access as taught by Bjornestad et al (*paragraph [0009]*).

Claim 18: Daniel et al, Doty and Bjornestad et al disclose a method for creating learning objects as in claim 17 above, and Daniel et al discloses wherein in the creating a package step the package contains a content aggregation file containing at least one of a metadata, a manifest, content packaging information, and a encrypted rights for each SCO in the package *paragraphs [0055], [0071], [0104], [0108]*).

Claim 19: Daniel et al, Doty and Bjornestad et al disclose a method for creating learning objects as in claim 17 above, and Doty discloses that the method further comprising the step of invoking a DRM packager to upload the package in

compressed format and place in a digital container(*paragraphs [0169], [0171]).* Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al and Bjornestad et al such as to compress the content searchable. One would have been motivated to do so in order to enhance the total educational experience for those taking advantage of the present system as taught by Doty (*paragraph [0003]).*

Claim 20: Daniel et al, Doty and Bjornestad et al disclose a method for creating learning objects as in claim 17 above, and Bjornestad et al discloses that the method further comprising the step of storing the package in a learning objects repository for later retrieval by an on-line learning management system when the one or more SCOs is at least one of searched and accessed (paragraphs [0054]-[0056]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al and Doty such as to make the content searchable. One would have been motivated to do so in order to provide a user with access to an information site hosting information with controlled access as taught by Bjornestad et al (*paragraph [0009]).*

Claim 21: Daniel et al, Doty and Bjornestad et al disclose a method for creating learning objects as in claim 17 above, and Doty further discloses wherein:

i. The assigning DRM to the one or more SCOs include assigning a price to each of the one or more SCOs and at least one of the one or more assets (*paragraphs [0169], [0171*], and

ii. The assigning the DRM step causes limitation of access to the one or more SCOs by user identity, price, or type of asset *(paragraphs [0164], [0165])*.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al and Bjornestad et al such as to assign right to the content. One would have been motivated to do so in order to enhance the total educational experience for those taking advantage of the present system as taught by Doty (*paragraph [0003])*

Claim 23: Daniel et al, Doty and Bjornestad et al disclose a method for creating learning objects as in claim 17 above, and Daniel et al discloses:

i. Logging onto an electronic store (e- store) to access the one or more SCOs (*paragraphs [0094], [0114]*); and

ii. generating promotional material and supplying parameters indicating at least one of: a package ID(paragraph [0137], whether each of the SCOs is encrypted (paragraphs [0071], [0085]), and Doty further discloses whether the one or more SCOs are to be delivered via on-line or off-line mode (*paragraphs [0010], [0062]),* whether the package is a course or SCO, a license server address, content manager address, and

whether the promotional contents are packaged into a secure container (*paragraphs [0183], [0188]*).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al and Bjornestad et al such as to assign digital right to content. One would have been motivated to do so in order to enhance the total educational experience for those taking advantage of the present system as taught by Doty (*paragraph [0003]).*

Claim 25 Daniel et al, Doty and Bjornestad et al disclose a method for creating learning objects as in claim 17 above, and Doty discloses:

i. Extracting information including thumbnail promotional material from a content aggregation (CA) file (*paragraph [0137]);*

ii. ingesting the one or more SCOs and CA file into a catalog using the information (*paragraph [0110]);* and storing the thumbnail promotional material into the catalog and associating the promotional material with the one or more SCOs (*paragraphs [0103]-[0104], [110]*), Bjornestad et al further discloses wherein the thumbnail promotional material and one or more SCOs are searchable(*paragraphs [0054]-[0056]).*

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al and Doty such as to make the content searchable. One would have been motivated to do so in order to provide a user with access to an information site

hosting information with controlled access as taught by Bjornestad et al (*paragraph [0009]*).

Claim 26: Daniel et al, Doty and Bjornestad et al disclose a method for creating learning objects as in claim 17 above, and Daniel et al discloses wherein the one or more assets are at least one of a video asset, a text asset, a music asset, and a learning asset (*paragraphs [0082], [0098]*).

9. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Daniel et al (US 2003/0163784) in view of Doty, Jr (US 2002/0152904) in further view of Bjornestad et al (US 2003/0084345) and Moses et al (US 6,314,517).

a. ***Claim 24***: Daniel et al, Doty and Bjornestad et al disclose a method for creating learning objects as in claim 17 above, while neither of them explicitly discloses a step of assigning symmetric keys to each one or more SCOs and encrypting each one or more SCOs with the symmetric keys. However, Moses et al discloses a method for notarizing digital signature, which further discloses a step of assigning symmetric keys to each one or more SCOs and encrypting each one or more SCOs with the symmetric keys (*column 1, lines 23-37*). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teaching of Daniel et al, Doty and Manning et al such as to use a random symmetric key. One would have been motivated to do so in order to provide data integrity.

10. Claims 32-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stefik (US 2005/0086172) in view of Penrod et al (US 2002/0169773)

Claim 32: Stefik discloses a digital rights protection system, comprising:

i. an automatic validation component adapted to ensure conformance of the unprotected digital content to Shareable Content Object Reference Model (SCORM) standards and providing error messages to enable correction(paragraphs [0051], [0202], [0450]); and

ii. a digital rights generation layer having one or more components adapted to provide a web-based interface for specifying different rights to the one or more parts for providing protected digital content(paragraph [0051]).

But does not explicitly discloses a secure uploading service capable of receiving unprotected digital content having one or more parts, associated metadata, and one or more promotional materials. However, Penrod et al discloses an image comparison system, which further discloses a secure uploading service capable of receiving unprotected digital content having one or more parts, associated metadata, and one or more promotional materials (*paragraph [0029]*). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the teaching of Stefik such as to receive unprotected digital content. One would have been motivated to do so in order to expose artists' works to a broad audience widely distributed throughout a broad geographic area as taught by Penrod et al (*abstract*).

Claim 33: Stefik and Penrod et al disclose a digital rights protection system as in claim 32 above, and Stefik further discloses that the system further comprising a means for generating digital rights files and associating the digital rights files with the digital content by embedding links into a metadata right field within corresponding metadata files(*paragraph [0080]).*

Claim 34: Stefik and Penrod et al disclose a digital rights protection system as in claim 33 above, and Stefik further discloses that the system further comprising further comprising a transparent web service for automatically encrypting the protected digital content and the rights files, wherein the digital rights generation layer provides content protection services (*paragraph [0080]).*

Claim 35 Stefik and Penrod et al disclose a digital rights protection system as in claim 32 above, and Stefik further discloses that the system further comprising further comprising:

i. A security manager component adapted to provide secure communications with client stations and an electronic store (*paragraph [0052]);* and

ii. A content repository component which prevents any input/output operation that creates a rights violation when the protected digital content is stored (*paragraph [0191]).*

Claim 36: Stefik and Penrod et al disclose a digital rights protection system as in claim 32 above, and Stefik further discloses that the system further comprising, further comprising a means for providing catalog creation services that includes

invoking web services with a trusted electronic store to create a catalog entry of the protected digital content and any associated promotional material.(*paragraph [0116]*)

Claim 37: Stefik and Penrod et al disclose a digital rights protection system as in claim 32 above, and Stefik further wherein all components of the rights generation layer has a public-key certificate by a certificate authority indicating that all the components are trusted(*paragraph [0449]).*

Claim 38: Stefik and Penrod et al disclose a digital rights protection system as in claim 32 above, and Stefik further discloses wherein the digital rights generation layer provides updating and version control capabilities of the protected digital content and any associated metadata files (*paragraphs [0427], [0443]).*

11. Claims 27-31 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniel et al (US 2003/0163784) in view of Doty, Jr (US 2002/0152904).

Claim 27: Daniel et al discloses a system for providing learning objects, comprising:

i. A portal server to permit authoring of at least one shareable content object (SCO) having one or more assets *(paragraph [0094]; Fig. 4 and Fig. 6*);

ii. A content manager which stores or retrieves the at least one SCO and the one or more assets (*paragraphs [0108]-[0109]*).

but does not explicitly discloses a digital rights management (DRM) content packager accessible via the portal server which assigns digital rights to the at least one shareable content object (SCO) nor a DRM license server which assigns license criteria to the at least one SCO and the one or more assets. However, Doty discloses a network based educational system, which further discloses:

i. A digital rights management (DRM) content packager accessible via the portal server which assigns digital rights to the at least one shareable content object (SCO) *(paragraphs [0169], [0171])*);

ii. A DRM license server which assigns license criteria to the at least one SCO and the one or more assets (*paragraphs [0129], [0167]).*

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the teaching of Daniel et al such as to assign digital right to the sharable content. One would have been motivated to do so in order to enhance the total educational experience for those taking advantage of the present system as taught by Doty (*paragraph [0003]).*

Claim 28: Daniel et al and Doty disclose a system for providing learning objects as in claim 27 above, and ,Daniel et al further discloses wherein the portal server provides a common interface personalized to a user's profile and role(*paragraphs [0072], [0081]*), and the portal server facilitates at least one of:

i. Accessing a web base authoring application for creating the at least one SCO, and downloading of a client authoring application for creating the at least one SCO (*paragraphs [0092]-[0094]*).

Claim 29: Daniel et al and Doty disclose a system for providing learning objects as in claim 27 above, and Doty further discloses wherein the DRM content packager communicates with the portal server for uploading the at least one SCO and communicates with a content manager loader for storing the at least one SCO in a learning objects repository and wherein the DRM content packager uploads a package (*paragraphs [0158], [0167]*) and parses the package to extract structure and titles of the package (*paragraph [0164]),* the package containing the at least one SCO and promotional material(*paragraph [0137]).* Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the teaching of Daniel et al such as to assign digital right to a content. One would have been motivated to do so in order to enhance the total educational experience for those taking advantage of the present system as taught by Doty (*paragraph [0003]).*

Claim 30: Daniel et al and Doty disclose a system for providing learning objects as in claim 27 above, and Daniel et al further discloses wherein the one or more assets is at least one of a video asset, a text asset, a music asset, and a learning asset(paragraphs [0082], [0098]).

Claim 31 Daniel et al and Doty disclose a system for providing learning objects as in claim 27 above, Doty further discloses wherein the at least one SCO is

packaged into a digital container, and wherein the each of the at least one SCO and each of the one or more assets is associated with a price controlled by DRM (*paragraphs [0164]-[0165]*). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the teaching of Daniel et al such as to associate the SCO with a price tag. One would have been motivated to do so in order to enhance the total educational experience for those taking advantage of the present system as taught by Doty (*paragraph [0003]).*

Claim 39: Daniel et al discloses a computer program product comprising a computer usable medium having readable program code embodied in the medium, the computer program product includes:

i. A first computer code to compose a shareable content object (SCO) representing one or more assets *(paragraph [0094]; Fig. 4 and Fig. 6)*;

ii. A fourth computer code to provide a common interface personalized to a user's profile and role to facilitate one of accessing or downloading the first computer code *)(paragraph [0090], Fig. 4 and Fig . 5) .*

but does not explicitly discloses a second computer code to assign a digital rights to the SCO to secure the one or more assets; nor a third computer code to individually access the SCO and the one or more assets, wherein the access to the SCO and the one or more assets is individually controlled by the assigned

digital rights. However, Doty discloses a network based educational system, which further discloses:

i. A second computer code to assign a digital rights to the SCO to secure the one or more assets *(paragraph [0169])*;

ii. A third computer code to individually access the SCO and the one or more assets, wherein the access to the SCO and the one or more assets is individually controlled by the assigned digital rights *(paragraph [0171])*.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the teaching of Daniel et al such as to assign digital right to the sharable content. One would have been motivated to do so in order to enhance the total educational experience for those taking advantage of the present system as taught by Doty *(paragraph [0003])*.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fatoumata Traore whose telephone number is (571) 270-1685. The examiner can normally be reached Monday through Thursday from 7:00 a.m. to 4:00 p.m. and every other Friday from 7:30 a.m. to 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nassar G. Moazzami, can be reached on (571) 272 4195. The fax phone number for Formal or Official faxes to Technology Center 2100 is (571) 273-8300. Draft or Informal faxes, which will not be entered in the application, may be submitted directly to the examiner at (571) 270-2685.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (571) 272-2100.

FT
Friday, June 13, 2008

/Nasser G Moazzami/
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